Art Unit: 2800

CLMPTO

ΑJ

08/10/04

1. (Currently Amended) A method of measuring a-material a nuclear size in tissue comprising:

irradiating a region of interest in the material tissue with spatially coherent light having a first beam with a first wavelength and a second beam with a second wavelength;

directing reference light having the first wavelength and the second wavelength along an optical path having a variable path length;

detecting scattered light from the material in response to the irradiating light and detecting the reference light while varying the path length; and

generating a heterodyne signal from the detected scattered light and the detected reference light; and

determining a size of a cell nucleus within the tissue using the heterodyne signal.

- 2. (Original) The method of Claim 1 further comprising forming an image of the region of interest.
 - (Currently Amended) The method of Claim 1 further comprising measuring a size
 of material a plurality of different nuclei within a region of tissue.
- (Original) The method of Claim 1 wherein the first beam and the second beam irradiate a focal area within the region of interest.

Application/Control Number: 09/844,286

- (Currently Amended) The method of Claim 1 further comprising measuring the material tissue at a plurality of first and second wavelengths.
- (Original) The method of Claim 1 further comprising combining scattered light and the reference light and subsequently detecting the combined light.
- (Original) The method of Claim 1 further comprising measuring a refractive index of a material within a region of tissue.
- 8. (Original) The method of Claim 1 further comprising recording data in electronic memory and comparing the data to reference data.
- (Original) The method of Claim 1 further comprising using a fiber optic device to transmit light.
- (Original) The method of Claim 1 further comprising using a low coherence light source.
- 11. (Original) The method of Claim 1 further comprising detecting backscattered light from a region of interest.
- 12. (Currently Amended) The method of Claim 1 further comprising adjusting a depth within the material tissue being measured.
- 13. (Original) The method of Claim 1 further comprising aligning the first beam and the second beam to overlap at the region of interest.
- 14. (Currently Amended) An optical system for measuring a material nuclear size in tissue comprising:
 - a light source and an optical system that irradiates a region of interest in-a

Application/Control Number: 09/844,286

Art Unit: 2800

material tissue with spatially coherent light having a first beam with a first wavelength and a second beam with a second wavelength that is harmonically related to the first wavelength;

a reference light beam having the first wavelength and the second wavelength along an optical path having a variable path length;

an actuator that adjusts the variable path length;

a detector system that detects scattered light from the material in response to the irradiating light and detects the reference light while varying the path length, the detector system generating a heterodyne signal from the detected scattered light and the detected reference light; and

a computer programmed to determine a size of cell nuclei in the tissue from the heterodyne signal.

- 15. (Currently Amended) The system of Claim 14 further comprising a scanning assembly that scans the first beam and the second beam across the material tissue such that an image of the region of interest.
- 16. (Original) The system of Claim 14 further comprising a data processor that computes a size of size tissue structure within the region of interest.
- 17. (Original) The system of Claim 14 wherein the first beam and the second beam irradiate a focal area within the region of interest.
- 18. (Original) The system of Claim 14 further comprising a light source emitting a plurality of first and second wavelengths.
- 19. (Original) The system of Claim 14 wherein the light source comprises a laser system that generates first and second wavelengths.
- 20. (Original) The system of Claim 14 further comprising a fiberoptic probe.

21. (Original) The system of Claim 14 wherein the light source comprises a wavelength tunable laser.

- 22. (Currently Amended) The system of Claim 14 further comprising a scanner that alters a beam path through the material tissue.
- 23. (Currently Amended) The system of Claim 22 wherein the scanner alters an angle of the beam path relative to the material tissue.
- 24. (Original) The system of Claim 14 further comprising a time correlation system.
- 25. (Original) The system of Claim 14 further comprising a fiber optic fiber optic coupler and an interferometer.
- 26. (Original) The system of Claim 16 wherein the structure comprises a cell or a cell nucleus.
- (Original) The system of Claim 14 further comprising a computer having a memory with stored reference data.

Cancelled claims 28-40